

### SUBSTANCE OF INTERVIEW

1. Representative Taska and Mr. Corbett requested clarification of the outstanding rejections of claims 1-11, 13-15 & 17-22 under 35 U.S.C. 101.

1.1 In regard to the rejection of claims 13, 17 & 22, the examiner responded by pointed to In re BEAUREGARD, 35 USPQ2d 1383 (CAFC 1995), and the corresponding claims of Beauregard et al (5,710,578), that recite the concept that the execution of the code/program/instructions cause a computer to perform the claimed functions. Further, the examiner noted that if claims were amended to recite this concept, then this amendment would overcome the rejection of claims 13, 17 & 22 under 35 U.S.C. 101 in section 8.2 of the Office action mailed 24 June 2008.

1.2 In regard to the rejection of claims 1-11, 13-15 & 17-22, the examiner responded by indicating that the examiner's action points out that the claimed invention may be fairly and reasonably interpreted as being directed to nothing more than using a series of mathematical models to represent a wire structure and then performing processing of the mathematical models in order to produce a number that represents a "twist angle" and that even if the twist angle is output, the claimed invention can be fairly and reasonably interpreted as being broad enough to include embodiments that do not require any practical application of the determined twist angle. Further, the examiner noted that if claims were amended to recite the concept of the "determined twist angle is to be used to achieve some purpose, then this amendment would overcome the rejection of claims 1-11, 13-15 & 17-22 under 35 U.S.C. 101 in section 8.1 of the Office action mailed 24 June 2008.

1.3 The interview concluded with Representative Taska and Mr. Corbett stating that the proposed amendments were going to be further considered.

1.4 It is noted that the above determination are subject to further review and search based on the actual language used in the claims submitted in a formal response.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward R. Cosimano whose telephone number is 571-272-0571. The examiner can normally be reached on 571-272-0571 from 7:30am to 4:00pm (Eastern Time).

Art Unit: 2863

2.1 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow, can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

2.2 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ERC

07/24/2008

**/Edward Cosimano/  
Primary Examiner Unit 2863**